0000096349

asfd

ORIGINAL

BEFORE I HE PARTIES OF THE PROPERTY OF THE PRO

WILLIAM A. MUNDELL CHAIRMAN JIM IRVIN

2

3

4

5

6

8

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

JIM IRVIN COMMISSIONER MARC SPITZER APR 1 9 2001

DOCKETED BY

2001 APR 19 P 2: 17

AZ CORP COMMISSION DOCUMENT CONTROL

MARC SPITZER COMMISSIONER

IN THE MATTER OF INVESTIGATION INTO QWEST CORPORATION'S COMPLIANCE WITH CERTAIN WHOLESALE PRICING REQUIREMENTS FOR UNBUNDLED NETWORK ELEMENTS AND RESALE DISCOUNTS.

DOCKET NO. T-00000A-00-0194

PROCEDURAL ORDER

BY THE COMMISSION:

By Procedural Order dated February 15, 2001, we established a schedule for filing testimony and set a date for the arbitration on Phase II of this proceeding. The arbitration is set to commence on July 9, 2001, with a pre-arbitration conference on June 28, 2001. By this Procedural Order we establish additional procedures for the conduct of this matter.

IT IS THEREFORE ORDERED that any substantive corrections, revisions, or supplements to pre-filed testimony shall be reduced to writing and filed no later than five days before the witness is scheduled to testify.

IT IS FURTHER ORDERED that the parties shall prepare a brief, written summary of the pre-filed testimony of each of their witnesses and shall file each summary at least two working days before the witness is scheduled to testify.

IT IS FURTHER ORDERED that copies of summaries should be served upon the Presiding Officer, the Commissioners, and the Commissioners' aides as well as the parties of record.

IT IS FURTHER ORDERED that discovery shall be as permitted by law and the rules and regulations of the Commission, except that: until June 15, 2001, responses to and any objections to discovery requests shall be made within 10 days¹ of receipt; thereafter, responses to and objections to discovery requests shall be made within 5 days¹; the response time may be extended by mutual agreement of the parties involved if the request requires an extensive compilation effort.

"Days" means calendar days.

2728

IT IS FURTHER ORDERED that, in the alternative to filing a written motion to compel discovery, any party seeking discovery may telephonically contact the Commission's Hearing Division to request a date for a procedural hearing to resolve the discovery dispute; that upon such a request, a procedural hearing will be convened as soon as practicable; and that the party making such a request shall forthwith contact all other parties to advise them of the hearing date and shall at the hearing provide a statement confirming that the other parties were contacted.²

IT IS FURTHER ORDERED that the Arbitrator(s) may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at arbitration.

DATED this / May of April, 2001.

JANE L. RODDA

Copies of the foregoing mailed/delivered this / May of April, 2001 to:

18 Timothy Berg

FENNEMORE CRAIG

3003 N. Central Avenue, Suite 2600

Phoenix, Arizona 85012

Attorneys for Qwest Corporation

Thomas Dethlefs

U S WEST

22

23

24

25

26

27

28

1801 California Street, Suite 5100

Denver, Colorado 80202

Richard S. Wolters

Michel Singer Nelson

AT&T

1875 Lawrence Street, Room 1575

Denver, Colorado 80202-1847

Michael W. Patten

ROSHKA, HEYMAN & DeWULF

400 N. 5TH Street, Suite 1000

Phoenix, Arizona 85004

Attorneys for Cox Arizona Telcom, Inc.,

e-spireTM Communications,

Telecommunications Services, Inc.,

and Z-Tel Communications, Inc.

Michael Grant

GALLAGHER & KENNEDY

2575 E. Camelback Road

Phoenix, Arizona 85016-9225

Attorneys for Electric Lightwave, Inc., COVAD

McLeodUSA

Communications, Inc. and New Edge Networks

The parties are encouraged to attempt to settle discovery disputes through informal, good-faith negotiations before seeking Commission resolution of the controversy.

1	Thomas H. Campbell LEWIS & ROCA
2	40 N. Central Avenue Phoenix, Arizona 85007
3	Attorneys for Rhythms Links, Inc., and Eschelon Telecom, Inc.
4	Thomas F. Dixon, Jr. MCI WorldCom
5	707 17 th Street Denver, Colorado 80202
6	Darren S. Weingard
7	Stephen H. Kukta SPRINT COMMUNICATIONS CO.
8	1850 Gateway Drive, 7 th Floor San Mateo, California 94404-2467
9	Scott S. Wakefield
10	RUCO 2828 N. Central Avenue, Suite 1200
11	Phoenix, Arizona 85004
12	Raymond S. Heyman Randall H. Warner ROSHKA, HEYMAN & DeWULF
13	400 N. 5 th Street, Suite 1000 Phoenix, Arizona 85004
14	
15	Jeffrey W. Crockett Jeffrey B. Guldner SNELL & WILMER
16	One Arizona Center Phoenix, Arizona 85004-2202
17	Mary E. Steele
18	DAVIS WRIGHT TREMAINE LLP 2600 Century Square
19	1501 Fourth Avenue Seattle, Washington 98101-1688
20	Attorneys for AT&T Communications of the Mountain States, Inc.
21	Dennis D. Ahlers
22	Senior Attorney Eschelon Telecom, Inc
23	730 Second Avenue South, Suite 1200 Minneapolis, Minnesota 55402
24	Janet Livengood
25	Z-Tel Communications, Inc. 601 South Harbour Island, Boulevard, Suite 220
26	Tampa, Florida 33602
27	

28

Christopher Kempley, Chief Counsel Legal Division ARIZONA CORPORATION COMMISSION 1200 West Washington Street Phoenix, Arizona 85007

Deborah Scott, Director Utilities Division ARIZONA CORPORATION COMMISSION 1200 West Washington Street Phoenix, Arizona 85007

By:

Debbi Person

Secretary to Jane Rodda